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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------------|------------------------|
| 10/812,691 | 03/29/2004 | Nobuhisa Takabayashi | ITECP010 | 4037 |
| 25920 7590 01/24/2008 MARTINE PENILLA & GENCARELLA, LLP 710 LAKEWAY DRIVE SUITE 200 SUNNYVALE, CA 94085 | | | EXAMINER EBRAHIMI DEHKORD, SAEID | |
| | | | ART UNIT 2625 | PAPER NUMBER |
| | | | MAIL DATE 01/24/2008 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|-------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/812,691 | TAKABAYASHI ET AL. | |
| | Examiner | Art Unit | |
| | Saeid Ebrahimi-dehKordy | 2625 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 8-10 and 28 is/are rejected.
- 7) ☒ Claim(s) 5-7, 11-27 and 29-33 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.



Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>1/19/06</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-4, 8-10 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Kuroyanagi (U.S. patent 6,597,469)

Regarding claim 1, 10 and 28 Kuroyanagi discloses: A print system that is capable of sending a status of a printer to a management server, which manages the status of said printer, via a telecommunication line, said print system comprising: a counting module that counts up printing operations of said printer to give a count representing a number of printing operations (note column 10, lines 1-4) a count judgment module that determines whether the count given by said counting module reaches a preset value (note column, line 62 to column 2, line 6, also note column 31, lines 46-54) a printing operation restriction module that restricts printing operations

of said printer when said count judgment module determines that the count reaches the preset value (note column 2, lines 23-29, also note column 4, line 61 to column 5, line 59) a connection detection module that detects establishment of connection with said management server (note column 9, lines 26-38 and column 11, lines 52-64) and a count setting module that resets the count to a specified value prior to the preset value (note column 5, lines 25-44, also note column 11, lines 44-51, and column 12, lines 35-44) in response to detection of establishment of connection with said management server by said connection detection module (note column 11, lines 18-44).

Regarding claim 2 Kuroyanagi discloses: A print system in accordance with claim 1, said print system further comprising: an error output module that outputs a print error, when said count judgment module determines that the count reaches the preset value (note column 12, line 65 to column 13, line 7).

Regarding claim 3 Kuroyanagi discloses: A print system in accordance with claim 1, wherein said count setting module resets the count to zero, in response to detection of establishment of connection with said management server by said connection detection module (note column 7, lines 15-44 and specifically lines 30-35).

Regarding claim 4 Kuroyanagi discloses: A print system in accordance with claim 1, said print system further comprising: an auto connection trial module that tries to establish connection with said management server via the telecommunication line at every predetermined time interval after the start of said print system (note column 20, line 63 to column 22, line 22).

Regarding claim 8 Kuroyanagi discloses: A print system in accordance with claim 1, wherein said connection detection module detects establishment of connection with said management

server in the case of successful transmission of the status of said printer to said management server via the telecommunication line (note column 18, lines, 44-51 and column 20, line 41 through column 22, line 22).

Regarding claim 9 Kuroyanagi discloses: A print system in accordance with claim 1, said print system further comprising: a manual connection trial module that tries to establish connection with said management server via the telecommunication line, in response to a user's command output at an arbitrary timing (note column 20, line 41 through column 22, line 22).

Allowable Subject Matter

3. Claims 5-6, 11-27 and 29-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeid Ebrahimi-dehKordy whose telephone number is 571-272-7462. The examiner can normally be reached on Mon-Fri, 8:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available

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through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Saeid Ebrahimi
Patent Examiner
Group Art Unit 2625
January 12, 2008

